

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

In Re:

NATIONAL CONSUMER MORTGAGE, LLC

Debtor.

JOHN P. BRINCKO,

Plaintiff,

vs.

RIO PROPERTIES, INC.,

Defendant.

Case No.2:10-cv-00930-PMP-PAL


ORDER

(Motion to Compel- Dkt. #68)

Before the court is Plaintiff Trustee's Motion to Compel the Re-Opening of the Deposition of Defendant Rio Properties, Inc. (Dkt. #68). The Motion was filed before this case was transferred from the Central District of California to this district. The clerk's docket does not reflect that an opposition was filed. Additionally, there is a reference in the parties Joint Status Report (Dkt. #113) to a discovery motion filed by the Trustee June 14, 2010. The parties joint status report indicates the Trustee takes the position the motion is still pending; however, Rio disagrees and asserts that the motion was brought after the close of general fact discovery and is not properly before the court. The court has no information concerning the relief requested other than that Rio's deposition be re-opened. Accordingly,

IT IS ORDERED the Motion to Compel (Dkt. #68) is **DENIED without prejudice** to refiling.

Dated this 30th day of March, 2011.


 Peggy A. Lepp
 United States Magistrate Judge